

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 2/24/2015	(3) CONTACT/PHONE Kate Ballantyne, Environmental Division Manager (805) 788-2766	
(4) SUBJECT Request to approve an agreement in the amount of \$96,225 with the Upper Salinas-Las Tablas Resource Conservation District and approve and execute a conservation easement to implement a wetland mitigation project for the Nacimiento Water Project. District 1.			
(5) RECOMMENDED ACTION It is recommended that the Board, acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District: 1. Approve the Cooperative Agreement in the amount of \$96,225 with the Upper Salinas-Las Tablas Resource Conservation District for implementing a wetland mitigation project for the Nacimiento Water Project; and 2. Approve and execute a conservation easement for the area to be restored, and direct the Clerk to record the conservation easement and return a copy to the Department of Public Works.			
(6) FUNDING SOURCE(S) Nacimiento Project Construction Fund 2200001000	(7) CURRENT YEAR FINANCIAL IMPACT \$96,225	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW			
(18) SUPERVISOR DISTRICT(S) District 1			

Reference: 15FEB24-C-6

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Kate Ballantyne, Environmental Division Manager

Eric Wier, Environmental Resource Specialist

VIA: Mark Hutchinson, Deputy Director of Public Works

DATE: 2/24/2015

SUBJECT: Request to approve an agreement in the amount of \$96,225 with the Upper Salinas-Las Tablas Resource Conservation District and approve and execute a conservation easement to implement a wetland mitigation project for the Nacimiento Water Project. District 1.

RECOMMENDATION

It is recommended that the Board, acting as the Board of Supervisors for the San Luis Obispo County Flood Control and Water Conservation District:

1. Approve the Cooperative Agreement in the amount of \$96,225 with the Upper Salinas-Las Tablas Resource Conservation District for implementing a wetland mitigation project for the Nacimiento Water Project; and
2. Approve and execute a conservation easement for the area to be restored, and direct the Clerk to record the conservation easement and return a copy to the Department of Public Works.

DISCUSSION

The goal of this agreement with the Upper Salinas-Las Tablas Resource Conservation District (RCD) and the Conservation Easement is to fulfill the wetland mitigation requirement of the Nacimiento Water Project. Pursuant to the Cooperative Agreement between the San Luis Obispo County Flood Control and Water Conservation District (FCWCD), the RCD will carry out all aspects of the restoration project, including regulatory permitting, site preparation, planting, maintenance, and necessary follow-up and monitoring.

The FCWCD implemented the Nacimiento Water Project, as described in the Nacimiento Water Project Environmental Impact Report certified in January 2004. The California Regional Water Quality Control Board issued a Clean Water Act Section 401 Water Quality Certification for the

Project which requires the FCWCD to implement compensatory mitigation for the Project's permanent impacts to 0.32 acres of stream habitat at a ratio of 2:1. In order to comply with this requirement, the FCWCD intends to allocate funds to the RCD to complete a restoration project that will mitigate for the impacts by restoring and enhancing 0.64 acre of an existing, degraded stream.

The restoration project will occur within the Salinas River watershed on the north side of Adelaida Road approximately 2.4 miles west of Nacimiento Lake Drive (APN 026-233-036). The agreement establishes the terms and conditions under which the RCD will implement the restoration project. The purpose of the conservation easement is to permit the FCWCD and the RCD to restore riparian habitat within the Easement Area as set forth in the Restoration Plan and to ensure the easement area is retained in its restored condition.

OTHER AGENCY INVOLVEMENT/IMPACT

The Nacimiento Project Commission's review of the FY 2014/15 budget on April 17, 2014 included a brief discussion of the wetland mitigation project. The recommended agreement is with the Upper Salinas-Las Tablas Resource Conservation District. The restoration project will also involve regulatory permitting and consultations between the RCD and the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

FINANCIAL CONSIDERATIONS

The cost estimate for implementation of the wetland mitigation project is \$96,225, and will be paid for from the Nacimiento Water Project Fund Environmental Mitigation Construction Costs as described in the Water Delivery Entitlement Contracts. The Program will be funded with the existing FY 2014-15 Nacimiento Water Project budget.

RESULTS

Approval of the attached agreement and easement will allow the Upper Salinas-Las Tablas Resource Conservation District to implement wetland compensatory mitigation for the Nacimiento Water Project in an efficient and cost effective manner, continuing existing efforts to provide a well governed, livable and safe community.

File: CF 622.10.01 General Correspondence

Reference: 15FEB10-C-2

L:\Environmental\FEB15\BOS\DLP Wetland Agreement and Easement 02.17.15 brd ltr.doc ew :jb mj

ATTACHMENTS

1. Vicinity Map
2. Cooperative Agreement
3. Riparian Habitat Conservation Easement Deed